FROM-StoutUxaBuyanMullins

LAW OFFICES OF

STOUT, UXA, BUYAN & MULLINS, LLP

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ROBERT D. BUYAN

DONALD E. STOUT

KENTON R. MOULINS LINDA ALLYSON FOX

JENNIFER K. ROSENPIELD**

4 VENTURE, SUITE 300 IRVINE, CALIFORNIA 92618 (949) 450-1750 FACSIMILE: (949) 450-1764

*PROFESSIONAL CORPORATION

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NOT ADMITTED IN CALIFORNIA

OUR FILE NO.

NEOME-019A2US

FACSIMILE COVER SHEET

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AUG 0 7 2006

Date:

August 7, 2006

To:

Commissioner for Patents Alexandria, VA 22313-1450

Facsimile:

571-273-8300

Re:

U.S. Patent Application No. 10/560,265

Int. Patent Application No. PCT/US04/18482

Inventor(s): Mittelstein et al.

"Electrosurgical Devices and Methods for Selective Cutting of Tissue"

From:

Robert D. Buyan

Total No. of Pages:

20 (including this form). Please notify us immediately if you have not

received all pages.

Attached:

Communication (2 pgs.)

Response to Notification of Missing Requirements - Transmittal Letter

(corrected) (2 pgs.)

Copy of Response to Notification of Missing Requirements submitted on

August 2, 2006 (16 pgs.)

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FROM-StoutUxaBuyanMullins

AUG 0 7 2006

Atty. Docket No.: NEOME-019A2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mittelstein et al.) Art Unit: Unassigned
U.S. App. No.: 10/560,265) Examiner: Unassigned
Int. App. No.: PCT/US04/18482	CERTIFICATE OF FACSIMILE TRANSMISSION
For: Electrosurgical Devices and Methods for Selective Cutting of Tissue	I hereby certify that this document is being transmitted by facsimile to the Commissioner for Patents, Alexandria, VA 22313-1450 at (571)273-8300 on AUQUST 7, 2006. By: Nancy V. McEl ath

COMMUNICATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In connection with the Response to the Notification of Missing Requirements submitted on August 2, 2006 for U.S. Application No. 10/560,266 (PCT/US04/18483) (copy enclosed), enclosed herewith is a corrected Transmittal Letter indicating the correct U.S. Application Number (10/560,265) and correct International Application Number (PCT/US04/18482).

Applicant respectfully requests that the Response to the Notification of Missing Requirements submitted on August 2, 2006 for U.S. Application No. 10/560,266 be treated as a Response to Notification of Missing Requirements for U.S. Application No. 10/560,265.

Atty. Docket No.: NEOME-019A2US

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment of the filing fees required under 37 CFR §1.16 and any patent application processing fees required under 37 CFR 1.17 to Deposit Account No.50-0878.

Respectfully submitted,

STOUT, UXA, BUYAN & MULLINS, LLP

FROM-StoutUxaBuyanMullins

Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite 300 Irvine, CA 92618

Telephone: (949) 450-1750 Facsimile: (949) 450-1764 Email: rbuyan@patlawyers.com

RECEIVED CENTRAL FAX CENTER

AUG 0 7 2006

Atty. Docket No.: NEOME-019A2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mittelstein et al.	Art Unit: Unassigned	
U.S. App. No.: 10/560,265	Examiner: Unassigned	
Int. App. No.: PCT/US04/18482)	CERTIFICATE OF FACSIMILE TRANSMISSION	
For: Electrosurgical Devices and Methods) for Selective Cutting of Tissue)	I hereby certify that this document is being transmitted by facsimile to the Commissioner for Parents, Alexandria, VA 22313-1450 at (571)273-8300 on August 2, 2006.	
	Ву:	
·	Nancy V. McElrath	

Response to Notification of Missing Requirements <u>Transmittal Letter</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed May 2, 2006:

- Enclosed is a copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pgs.).
- Enclosed is a Declaration of Inventorship and Limited Power of Attorney (2 pgs.).
- Enclosed is a Statement of Ownership (37 CFR 3.73(b)) and Power of Attorney by Assignee (1 pg.).
- Enclosed is a copy of the recorded Assignment (6 pgs.).
- Applicant hereby claims small entity status.

Atty. Docket No.: NEOME-019A2US

- Applicant hereby petitions for a one-month extension of time to respond to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).
- The Commissioner is hereby authorized to charge the one-month extension fee (\$60) and the surcharge (\$65) and any underpayment or credit any overpayment of the filing fees required under 37 CFR §1.16 and any patent application processing fees required under 37 CFR 1.17 to Deposit Account No.50-0878.

Respectfully submitted,

STOUT, UXA, BUYAN & MULLINS, LLP

Date: August 2, 2006

Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite 300 Irvine, CA 92618

Telephone: (949) 450-1750 Facsimile: (949) 450-1764 Email: rbuyan@patlawyers.com TO: Auto-reply fax to +949 450 1764 COMPANY:

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NEOME-019AZUS

FACSIMILE COVER SHEET

Dalet

August 2, 2006

To:

Commissioner for Patents Alexandria, VA 22913-1450

Facsimile:

571-273-8300

Re:

U.S. Patent Application No. 10/360,266 Int. Patent Application No. PCT/US04/18483 Inventor(s): Mittelstein et al. "Devices and Methods Uscable for Treatment of Glaucoma and Other Surgical Problems"

From:

Robert D. Buynn

Total No. of Pages:

14 (including this form). Please notify us immediately if you have not received all pages.

Attached:

Response to Notification of Missing Requirements (2 pgs.)
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Statement of Ownership (37 CFR 3.73(b)) and Power of Attorney by
Assigned (1 pg.)
Copy of recorded Assignment (6 pgs.)

FROM-StoutUxaBuyanMullins

LAW OFFICES OF

STOUT, UXA, BUYAN & MULLINS, LLP

PATENTS, TRADEMARKS, COPYRIGHTS, AND RELATED INTELLECTUAL PROPERTY MATTERS

OF COUNSEL: CARLOS A. FISHER*

PRANK J. IDA JR *

ROBERT D. BÜYAN*

DONALD & STOUT

KENTON R. MULLINS LINDA ALLYSON FOX

JENNIFER K. ROSENFIELD**

4 VENTURE, SUITE 300 IRVINE, CALIFORNIA 92618 (949) 450-1750 FACSIMILE: (949) 450-1764

*PROFESSIONAL CORPORATION **ADMITTED IN MASSACHUSETTS -NOT ADMITTED IN CALIFORNIA

OUR FILE NO.

NEOME-019A2US

FACSIMILE COVER SHEET

Date:

August 2, 2006

To:

Commissioner for Patents Alexandria, VA 22313-1450

Facsimile:

571-273-8300

Re:

U.S. Patent Application No. 10/560,266

Int. Patent Application No. PCT/US04/18483

Inventor(s): Mittelstein et al.

"Devices and Methods Useable for Treatment of Glaucoma and Other

Surgical Problems"

From:

Robert D. Buyan

Total No. of Pages:

14 (including this form). Please notify us immediately if you have not

received all pages.

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Declaration of Inventorship and Limited Power of Attorney (2 pgs.) Statement of Ownership (37 CFR 3.73(b)) and Power of Attorney by

Assignee (1 pg.)

Copy of recorded Assignment (6 pgs.)

PRIVACY NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissertination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address. Thank you

Atty. Docket No.: NEOME-019A2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mittelstein et al.	Art Unit: Unassigned	
U.S. App. No.: 10/560,266) Examiner: Unassigned	
Int. App. No.: PCT/US04/18483	CERTIFICATE OF FACSIMILE TRANSMISSION	
For: Devices and Methods Useable for Treatment of Glaucoma and Other Surgical Procedures	I hereby certify that this document is being transmitted by facsimile to the Commissioner for Patents, Alexandria, VA 22313-1450 at (571)273-8300 on 1202. It is the Nancy V. McElrath	

Response to Notification of Missing Requirements <u>Transmittal Letter</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed May 2, 2006:

- Enclosed is a copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pgs.).
- Enclosed is a Declaration of Inventorship and Limited Power of Attorney (2 pgs.).
- Enclosed is a Statement of Ownership (37 CFR 3.73(b)) and Power of Attorney by Assignee (1 pg.).
- Enclosed is a copy of the recorded Assignment (6 pgs.).
- Applicant hereby claims small entity status.

- Applicant hereby petitions for a one-month extension of time to respond to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).
- The Commissioner is hereby authorized to charge the one-month extension fee (\$60) and the surcharge (\$65) and any underpayment or credit any overpayment of the filing fees required under 37 CFR §1.16 and any patent application processing fees required under 37 CFR 1.17 to Deposit Account No.50-0878.

Respectfully submitted,

STOUT, UXA, BUYAN & MULLINS, LLP

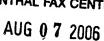
Date: August 1, 2006

Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite 300 Irvine, CA 92618

Telephone: (949) 450-1750 Facsimile: (949) 450-1764 Email: rbuyan@patlawyers.com

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U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY, DOCKET NO.

10/560,265

Michael Mittelstein

NEOME-019A2US

INTERNATIONAL APPLICATION NO.

PCT/US04/18482

I.A. FILING DATE 06/10/2004

PRIORITY DATE 06/10/2003

Robert D Buyan Stout Uxa Buyan & Mullins 4 Venture Suite 300 Irvine, CA 92618

CONFIRMATION NO. 3349

371 FORMALITIES LETTER

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Response tre

Date Mailed: 05/02/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/09/2005
- Copy of the International Search Report filed on 12/09/2005
- Copy of IPE Report filed on 12/09/2005
- U.S. Basic National Fees filed on 12/09/2005
- Priority Documents filed on 12/09/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371;

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

\$65 Surcharge.

Page 2 of 2

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
10/560,265	PCT/US04/18482	NEOME-019A2US

FORM PCT/DO/EO/905 (371 Formalities Notice)